

Assembly Bill No. 1476

CHAPTER 517

An act to amend Section 5019.65 of the Public Resources Code, relating to public resources.

[Approved by Governor September 24, 2003. Filed
with Secretary of State September 25, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1476, Chavez. State park system: state reserves.

Under existing law, state reserves consist of areas embracing outstanding natural or scenic characteristics of statewide significance.

This bill would also designate, as state reserves, areas containing outstanding cultural resources of statewide significance. The bill would describe these areas as places that contain historic or prehistoric structures, villages, or settlements, archaeological features, ruins, artifacts, inscriptions made by humans, burial grounds, landscapes, hunting or gathering sites, or similar evidence of past human lives or cultures. The bill would require, within state cultural reserves, the highest level of resource protection be sought, and that management actions be consistent with the preservation of cultural resources and federal and state laws.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares that a new state park unit classification option of cultural reserve, which is to be used for public land in the state park system as determined by the State Park and Recreation Commission, is necessary to more accurately and respectfully classify state park units containing cultural resources, as described in Section 5019.65 of the Public Resources Code, as amended by this act.

SEC. 2. Section 5019.65 of the Public Resources Code is amended to read:

5019.65. State reserves consist of areas embracing outstanding natural or scenic characteristics or areas containing outstanding cultural resources of statewide significance. State reserve units may be established in the terrestrial or nonmarine aquatic (lake or stream) environments of the state and shall be further classified as one of the following types:

(a) State natural reserves, consisting of areas selected and managed for the purpose of preserving their native ecological associations, unique faunal or floral characteristics, geological features, and scenic qualities in a condition of undisturbed integrity. Resource manipulation shall be restricted to the minimum required to negate the deleterious influence of man.

Improvements undertaken shall be for the purpose of making the areas available, on a day use basis, for public enjoyment and education in a manner consistent with the preservation of their natural features. Living and nonliving resources contained within state natural reserves shall not be disturbed or removed for other than scientific or management purposes.

(b) State cultural reserves, consisting of areas selected and managed for the purpose of preserving and protecting the integrity of places that contain historic or prehistoric structures, villages, or settlements, archaeological features, ruins, artifacts, inscriptions made by humans, burial grounds, landscapes, hunting or gathering sites, or similar evidence of past human lives or cultures. These areas may also be places of spiritual significance to California Native Americans. Within state cultural reserves, the highest level of resource protection shall be sought. Improvements may be undertaken for the purpose of providing public access, enjoyment, and education, and for cultural resource protection. Improvements made for the purpose of cultural resource protection shall take into account the possible need for access to the site for ceremonial or spiritual purposes. Living and nonliving resources contained within state cultural reserves may be used for ceremonial or spiritual purposes, consistent with other laws, and if the use is not harmful to threatened or endangered species or to the cultural resources intended for protection by this designation. Management actions shall be consistent with the preservation of cultural resources and with federal and state laws.

